

## INSTRUCTIONS FOR YOUR DIVORCE HEARING

Try to arrive at your hearing at least 15 minutes before your hearing is scheduled. Once you arrive at the courtroom for your hearing, you should ask the Clerk of the District Court how to let the judge know that you are there for your divorce hearing.

The court may ask to review your Decree for Dissolution of Marriage and Parenting Plan before the hearing, so have those documents prepared, along with one copy of each.

When the court calls your case, you will be asked if you are ready to proceed. You must tell the court that you are ready and would like to testify. Before beginning your testimony, tell the judge you would like to have the court reporter mark the Financial Affidavit for Child Support [link] as an exhibit. The judge will have you take the Financial Affidavit to the court reporter, who will then put a sticker with a number on the Affidavit. When the court reporter has finished, take the Affidavit to the judge and say, "Your Honor, I offer exhibit number \_\_\_ (the number given to the exhibit by the court reporter) into evidence."

You will be asked to take the stand, and the court will give you an oath to tell the truth. You are then ready to go forward with your case.

You must testify to the following:

1. *My name is \_\_\_\_\_, and I reside at \_\_\_\_\_,*  
(your full name) (your current street address)  
*in \_\_\_\_\_, and I am the plaintiff in this case.*  
(city and state where currently living)
2. *I have (or my spouse has) lived in Nebraska for at least 1 year before I filed the Complaint in this case.*
3. *I (or my spouse) lived in \_\_\_\_\_ County, Nebraska, at the time I*  
(county where Complaint filed)  
*filed the Complaint in this case.*
4. *I married my spouse on \_\_\_\_\_, in \_\_\_\_\_,*  
(date of marriage) (city where marriage took place)  
*\_\_\_\_\_.*  
(state where marriage took place)
5. *My marriage is completely broken and cannot be repaired.*

**Describe why you feel the marriage is broken. Here are some examples:**

- **He was abusing alcohol and drugs, and would not get help.**
- **She was seeing someone else and not coming home.**

- He was physically abusive, and he would not stop.
- She has been gone for years, and I do not know where she is.

6. *I attempted to make the marriage work.*

**Describe for the court the efforts you made. Here are some examples:**

- I asked him to go to counseling, but he refused.
- I asked her to come home to work things out, but she refused.
- I tried talking to him, but he would not talk to me, and there was a breakdown in communications.
- We separated and got back together several times, but the same problems were there.
- Because we have been separated for such a long time, I did not think it would do any good to try to get back together.

7. *I do not think anything else can be done to save my marriage.*

8. *I wish this court to grant me a dissolution of my marriage.*

9. *My spouse and I have \_\_\_\_\_ children. The children's full names and  
(number of children)  
 dates of birth are:*

_____	_____
<small>(name)</small>	<small>(Date of birth)</small>
_____	_____
<small>(name)</small>	<small>(Date of birth)</small>
_____	_____
<small>(name)</small>	<small>(Date of birth)</small>
_____	_____
<small>(name)</small>	<small>(Date of birth)</small>

10. *My spouse and I have agreed that \_\_\_\_\_ will have custody of the  
("I" or "my spouse")  
 children.*

11. You must say one of the following:

*My spouse and I have developed a Parenting Plan that I have attached to the Decree. I ask the court to approve it.*

**OR**

*My spouse and I have not developed a Parenting Plan. I request that the court create a Parenting Plan.*

**OR**

*My spouse has not cooperated in developing a Parenting Plan. I ask the court to approve the Parenting Plan for an Absent Parent that I have attached to the Decree.*

12. \_\_\_\_\_ *not pregnant.*  
(“I am” or “my spouse is”)
13. *I am asking the court to use the Financial Affidavit for Child Support to calculate the amount of child support \_\_\_\_\_ must pay.*  
(“I” or “my spouse”)
14. *I am asking that the court award me all of the property in my possession and that the court award my spouse all of the property in my spouse’s possession.*
15. *I am asking that the court order the debts incurred by my spouse be paid by my spouse and that the court order me to pay the debts that I incurred.*
16. *My spouse is not a member of the Armed Forces of the United States or its allies.*
17. *There are no other actions pending for divorce or separation here or in any other court.*
18. *I wish my former name of \_\_\_\_\_ be restored to me.*  
(print former or maiden name including first, middle, and last names)
19. *I am not requesting alimony, and I understand that in not asking for alimony, I can never receive alimony from my spouse in the future.*
20. *I understand that if this court grants me a decree of dissolution of marriage, the decree is not final for 30 days, and I cannot marry anyone anywhere in the world for 6 (six) months, unless my spouse dies.*
21. *I have nothing further your Honor.*